

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE

1ST SPECIAL SESSION

JANUARY 19, 1976 TO APRIL 29, 1976

AND

2ND SPECIAL SESSION

JUNE 14, 1976

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature
AT THE FIRST SPECIAL SESSION
January 19, 1976 to April 29, 1976
AND THE SECOND SPECIAL SESSION
June 14, 1976

Supplementary to the Acts and Resolves of the Regular Session

[supplied from page 3097 of volume]

Whereas, operating these buses as ordinary vehicles and not as school buses significantly increases the traffic hazards to the children being transported; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

29 MRSA § 2011, sub-§ 2, as enacted by P.L. 1973, c. 780, § 4, is amended to read:

2. **School bus.** The term "school bus" shall include every motor vehicle with a carrying capacity of 10 or more passengers, whether publicly or privately owned, which is used to transport school children to and from school or to and from school activities for which such transportation is approved by the appropriate school authorities, and to and from municipally operated activities or activities of a nonprofit corporation or association for which such transportation is approved by the appropriate school authorities. This definition shall not include private motor vehicles used to transport members of the owner's household.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 30, 1976

CHAPTER 696

AN ACT Exempting Public Accountants and Certified Public Accountants From the Insurance Consultant Law and Deleting the 3-Year Limitation on Applications for Permits to Practice Accountancy.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 24-A MRSA § 1508, sub-§ 1, ¶¶ A and B, as enacted by P. L. 1969, c. 132, § 1, are amended to read:

A. An attorney while licensed to practice and actively practicing law in this State; or

B. An insurance actuary, and as such a member or associate of the Society of Actuaries or Academy of Actuaries; or

Sec. 2. 24-A MRSA § 1508, sub-§ 1, ¶ C is enacted to read:

C. A public accountant certified under Title 32, chapter 58 or a certified

public accountant who is certified under Title 32, chapter 58 and in active public practice.

Sec. 3. 32 MRSA § 3990, 5th and 6th sentences, as enacted by P. L. 1967, c. 344, § 1, are repealed and the following enacted in place thereof:

If a certificate holder fails to apply for such annual permit, the initial registration fee or reregistration fee, as the case may be, shall be such amount as the board shall, from time to time, determine, but not in excess of \$25.

Effective July 29, 1976

CHAPTER 697

AN ACT to Amend the Procedures of the Maine Labor Relations Board.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 26 MRSA § 966, sub-§ 1, as last repealed and replaced by PL 1975, c. 564, § 20, is amended by inserting after the first sentence the following new sentence:

The executive director or his designee conducting unit determination proceedings shall have the power to administer oaths and to require by subpoena the attendance and testimony of witnesses, the production of books, records and other evidence relative or pertinent to the issues represented to them.

Sec. 2. 26 MRSA § 966, sub-§ 3 is enacted to read:

3. Unit clarification. Where there is a certified or currently recognized bargaining representative and where the circumstances surrounding the formation of an existing bargaining unit are alleged to have changed sufficiently to warrant modification in the composition of that bargaining unit, any public employer or any recognized or certified bargaining agent may file a petition for a unit clarification provided that the parties are unable to agree on appropriate modifications and there is no question concerning representation.

Sec. 3. 26 MRSA § 968, sub-§ 4, first sentence, as last amended by PL 1975, c. 564, § 25, is further amended to read:

Any party aggrieved by any ruling or determination of the executive director, or his designee, under sections 966 and 967 may appeal, within 15 days of the announcement of the ruling or determination, except that in the instance of objections to the conduct of an election or challenged ballots the time period shall be 5 working days, to the Maine Labor Relations Board.

Sec. 4. 26 MRSA § 968, sub-§ 5, ¶ B, as last amended by PL 1975, c. 564, § 26, is repealed and the following enacted in place thereof:

B. Any public employer, any public employee, any public employee or-